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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 **-oOo-**

8 UNITED STATES OF AMERICA,) 2:99-CR-00377-RCJ-VCF
9)
10 Plaintiff,) **GOVERNMENT'S MOTION TO DISMISS**
11) **SUPERSEDING INDICTMENT**
12 v.)
13)
14 TRISTAN ANTONY COMPAS,)
15 aka TRISTAN KOMPAS,)
16)
17 Defendant.)
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COMES NOW the United States of America, by and through DANIEL G. BOGDEN, United States Attorney, and RUSSELL E. MARSH, Assistant United States Attorney, and files this Motion for Leave to Dismiss the Superseding Indictment against defendant Tristan Anthony Compas pursuant to Fed. R. Crim. P. 48(a). In support of this motion, the government states as follows:

1. On October 20, 2011, this Court held a status conference regarding a letter from defendant Tristan Kompas. At that conference AUSA Peter Levitt informed the Court that he would investigate this matter and report back to the Court at a further status conference, now set for November 8, 2011.

2. Since that time, the government has looked into the facts of this case and the status of the defendant. Specifically, it has learned that this case was dismissed against co-defendant Bradford Shack in 2008, following that defendant's death. The government has also confirmed that defendant Tristan Compas is currently incarcerated in the Nevada State Prison system under the name Tristan Kompas.

WHEREFORE, the United States requests that this Court confer its leave, as required under Rule 48(a) of the Federal Rules of Criminal Procedure, and grant this motion to dismiss the Superseding Indictment with prejudice.

Respectfully submitted,

/s/ Russell E. Marsh

ORDER

SO ORDERED.

11-30-2011